
IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

Serial Number: 10/081,955
Filed: February 20, 2002
Applicants: George E. Seidel, Lisa Herickhoff, John Schenk
Title: Multiple Sexed Embryo Production System for Mammals
Using Low Numbers of Spermatozoa
TC/A.U: 1634
Examiner: Carla J. Myers
Assignee: XY, Inc.
Attorney Docket: XY-Super-Cont2
Customer No.: 33549
Confirmation No.: 2282

**REQUEST FOR CONTINUED EXAMINATION
PURSUANT TO 37 C.F.R. § 1.114**

The Applicant hereby submits the following submission in this case as a Request for Continued Examination pursuant to 37 C.F.R. § 1.114. This submission consists of an amendment and request for reconsideration meeting the requirements of 37 C.F.R. § 1.111 and is filed in response to the Office Action dated May 22, 2008. A shortened statutory period of three months has been set, making a response to this action due on or by August 22, 2008. The Applicant is requesting that this time period be extended for three months to and including November 22, 2008 and has included a Petition for Extension of Time along with the prescribed fee. Because November 22, 2008 falls on a Saturday, a response to the Office Action is due Monday, November 24, 2008, in accordance with 37 C.F.R. §1.7. This Request for Continued Examination is accompanied by the fee set forth in 37 C.F.R. § 1.17(e) and is appropriate because:

- i) this request is made prior to payment of the issue fee [37 C.F.R. § 1.114 (a)(1)];
- ii) the application has not been abandoned [37 C.F.R. § 1.114 (a)(2)];

- iii) no notice of appeal has been filed [37 C.F.R. § 1.114 (a)(3)];
- iv) prosecution on the application is closed by either a final action or issuance of a notice of allowance [37 C.F.R. § 1.114 (b)];
- v) this application is not a provisional application [37 C.F.R. § 1.114 (e)(1)];
- vi) this is not a utility patent application filed before June 8, 1995 [37 C.F.R. § 1.114 (e)(2)];
- vii) this application is not an international application filed under 35 U.S.C. § 363 before June 8, 1995 [37 C.F.R. § 1.114 (e)(3)];
- viii) this application is not a design patent application [37 C.F.R. § 1.114 (e)(4)]; and
- ix) this is not a patent under reexamination [37 C.F.R. § 1.114 (e)(5)].

This response is made in accordance with 37 C.F.R. § 1.121 using the format with each heading beginning on a separate page as follows:

1. Amendments to the Specification begin on page 3 of this response;
2. A Listing of Claims begins on page 7 of this response;
3. Remarks begin on page 11 of this response.

Should any unintended informality exist, it is requested that the undersigned be contacted by telephone so that the informality may be resolved as expeditiously as possible.